

### ERRATA.

Errors in Orthography and Style we deem it unnecessary to notice ; but the following errors which appear to effect the sense, are considered of importance.

24th Page, 12th line from the top, after the word "support" insert a period, and commence the succeeding sentence with a capital U.

25th Page, 7th line from the bottom after the word "place," omit the comma, and insert the words "in the."

28th Page, 2d line from the top after the word "superior" leave out the period. Also 4th line from the bottom same page after the words "to be" insert the word "no"

35th Page, 14th line from the top instead of "deliated" read "detailed" report.

## EXTRACTS

FROM THE MINUTES OF THE VESTRY

OF

ST. JOHN'S EPISCOPAL CHURCH,

NORTHERN LIBERTIES.

*Showing the causes of the difficulty between the Rector and the Vestry.*

PUBLISHED BY ORDER OF THE VESTRY.



PHILADELPHIA:

Printed by H. Probasco, No. 119 North Fourth Street.

1841.

## PREFACE.

The Vestry of St. John's Church acting under a conscientious sense of responsibility to those whom they represent, are compelled in justice to themselves to publish the annexed account of the proceedings, in reference to the late difficulty between the Vestry and the Rector. They deem it unnecessary to make any extended comments or explanations, believing, that the facts of the case as furnished by the resolves of the Vestry, and the consequent correspondence between them and Rector, will be sufficiently explicit to enable the reader to form a correct conclusion. They cannot permit the opportunity to pass, of expressing their extreme regret at the recent course of the Rector, in calling convocations of the City Clergy and laying before them what the Vestry conceive to be *ex-parte* testimony in relation to this subject.—They do not shrink from a full and impartial investigation before any tribunal, and therefore deprecate in the highest degree that under-handed dealing, which would seek to enlist the sympathies of individuals, and forestall their judgements by one-sided statements, calculated to injure some of the parties concerned. An attentive perusal of the following documentary evidence, as furnished from the records of the Vestry, will undoubtedly lead each reader to a correct decision of the point in controversy, to that decision we are at all times ready to submit.

## THE VESTRY.

### *Extract from the Minutes, No. 1.*

At a meeting of the Rector, Wardens, and Vestrymen, of St. JOHN'S CHURCH OF THE NORTHERN LIBERTIES, held on November 20, 1835.

A Communication was received from the Rector, recommending the adoption of the *Free Church Principle*; a Committee was appointed to take into consideration the proposed project of the Rector—which Committee presented the annexed Report to a subsequent meeting of the Vestry held on the 18th of February 1836.

The Committee in pursuance of the duties assigned them, have given the subject their serious attention, and present their views with the expectation that the Vestry will concur with them in opinion. The first prominent suggestion in the Communication is that of making *St. John's Church Free* to all who might be induced to attend Divine Worship—the object to be attained is certainly a desirable one, and they have no doubt would tend greatly to increase the Congregation, and be the means of doing a vast amount of good—but in the very outset involves difficulties that we shall not be able to overcome, and the Committee are of opinion it would be hazardous too much to make the experiment, borne down as we are with the unfortunate situation of our pecuniary affairs, that is already threatening to overwhelm the corporation of this Church, and they believe from no other source than the present assessment on Pews could a sufficiency be obtained to defray the current expenses of the Church. Experience has taught us that voluntary contributions are not to be depended on—for even after entering into a formal obligation to pay certain sums at stated periods, for the support of a Preached Gospel, there are many very backward in fulfilling their engagements, although they are as firmly bound to pay them as any other legal debts. Another difficulty attending the proposed measure, is the Pews that have been sold and paid for—such Pews could not be brought under the control of the Vestry without the consent of the owners, and to obtain their consent, it would be necessary in some cases to refund the purchase money, which the Vestry have not the power to accomplish. The Committee are of the opinion that it would be inexpedient at this time to make the proposed alteration, and that it will be for the best interests of the Church to continue the present system of raising revenue by the assessment, on Pews and Sittings as formerly, and with a view of increasing the Congregation, would respectfully suggest to the Rector the importance of visiting the parents of the children belonging to the Sunday Schools, in company with one or more of the teachers, to converse with them and endeavour to persuade them to attend divine worship, and if any of them have not the ability to rent a pew or sitting, have the same assigned to them by the Accounting Warden in any unrented pew, until they are able to contribute something to the support of the Church; also a regular course of visitation among the Congregation generally; it would stir up and warm the attachment to the Church, would tend to harmonize and

increase the congregation, would silence complaints which have been made by some who think they have been neglected by the Rector, and would enable him to ascertain more fully the views and opinions of the people of his charge, and with the blessing of God would lead to happy results, moreover they believe that if extraordinary efforts are not made the Vestry cannot long be sustained in their endeavours to fulfil all their engagements entered into on behalf of the church.

[Here the matter rested until the evening of the 15th of September 1836]

### *Extract from the Minutes, No. 2.*

At a stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening September 15th 1836, at the Lecture Room. A communication was read by the Rector on the subject of making St. John's Church free—on motion of Mr. Letford, the following resolution was adopted.

**Resolved**, that a committee be appointed to take into consideration the subject of making St. John's Church free, and to report at as early a day as practicable. Committee, Messrs. Agnew, Riley, Reed, Chadwick and Letford.

### *Extract from the Minutes, No. 3.*

At a special meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening October 6, 1836, at the Lecture room—the meeting was called for the purpose of receiving the report of the committee on the subject of making St. John's Church free. Mr. Agnew the chairman of the committee made the following report, which after being read was on motion of Mr. Riley, laid on the table until the next stated meeting.

**Report.**—The committee appointed by the Vestry of St. John's Church, N. L. to take into consideration a recommendation of the Rector, to declare the said church free to all who may assemble for the purpose of religious worship, report that they have given the subject that serious attention which its importance demands, they deem it unnecessary at this time to repeat the objections urged on a former occasion against the expediency of the proposed measure, and are now of the opinion that the Vestry in adopting it and taking upon themselves the responsibility of declaring the church free, would be assuming powers that never were intended to be delegated to them.

They consider that an entire change in the present organization of this church and congregation, however sanguine we may be of the beneficial results to flow from it, ought not to be made at the present time, believing it to be premature, the committee therefore offer the following resolution.

**Resolved**, that the committee be discharged from the further consideration of the subject.

*Signed,*

JOHN AGNEW,  
J. S. RILEY,  
ABEL REED,  
H. W. CHADWICK.

This resolution was adopted and no further notice taken of the subject by the Vestry until the meeting on the 20th of June 1839.

### *Extract from the Minutes, No. 4.*

At a stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening June 20th 1839—present Messrs. Agnew, Vinyard, Mulock, Chadwick, Murray, Miskey and Ziegler.

On motion of Mr. Ziegler a committee of three was appointed to consult with the Rector on the present state of the finances of the church—committee, Messrs. Agnew, Ziegler and Letford.

### *Extract from the Minutes, No. 5.*

At a stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening August 15th 1839.—Present, Messrs. Boyd, Agnew, Reed, Murray, Ziegler, Chadwick, Letford, Mulock and Miskey.

The committee appointed to consult with the Rector upon the present state of the finances of the church, made the following report :

The committee to whom was referred the subject of the proposed alteration in the manner of providing the revenue of the church, beg leave respectfully to report, that they have attended to the duty assigned them. In referring to the past your committee find that the subject was first brought before the Vestry by the Rector, in November 1835, and urged as one of several ways in which he supposed the church under his pastoral care, should exhibit a higher devotion to the service of God, and a more entire separation from the world. The matter was referred at that time to a committee of the Vestry, who soon after reported that the object to be obtained was certainly a desirable one, and they had no doubt it would be the means of greatly increasing the congregation and doing a vast amount of good, but that it appeared to involve difficulties which would not be easily overcome, and therefore the committee were of opinion that it would be hazarding too much to make the experiment. This report was adopted by the Vestry. In the month of March 1836, the Rector laid before the Vestry another communication in which he maintained, that the system at present in operation is not consistent with the principles of the Gospel, or calculated to promote the honor and glory of God, but on the contrary that it is based upon a false principle of action and doth hinder and prevent the prosperity of the church. He proposed at some future time a reconsideration of the subject.

In October of the same year 1836, a pastoral letter was prepared by the Rector on the single point of dispensing with the pew rents, which after having been submitted to the Vestry and ordered to be printed, was addressed to the church.

In this letter the position was defended that the system of selling and renting pews in the house of God, is inconsistent with the principles of the Gospel. The scriptural mode of supporting the institutions of Religion, was recommended.—Some of its supposed advantages pointed out, and sundry objections answered; since the publication of this letter, no action has been had by the Vestry until the recent resolution, which calls

for this report.—In reperusing the papers above referred to, your committee are fully convinced of the soundness of the principle advanced by the Rector, they are of the same opinion as was expressed by a former committee of the Vestry, that much spiritual good under the divine blessing may be expected to result from the change proposed.—The only point upon which they have felt any difficulty in coming to a conclusion, has been the possible failure of the method which it is proposed shall be substituted, in securing the temporal interests of the church. The difficulty has in a great measure been obviated by the generous offer of the Rector to release the Vestry from all responsibility, in regard to his salary.

The proposed change seems to be more scriptural, and in accordance with primitive usage, and in consequence of the repeated solicitations of the Rector, whose mind is so fully imbued with the correctness of the principle of abolishing the system of selling and renting pews in the house of God,—and also, of the practicability of raising sufficient revenue for the support of a preached Gospel, by voluntary contributions, and relying on his increased exertions under the blessing of the Divine Head of the church, the committee have unanimously agreed to the following resolution.

*Resolved*, that from, and after the 24th of September 1839, the system of selling and renting pews shall be dispensed with, and thenceforth, relying upon the blessing of God our Saviour, we will restore what we believe to be, the scriptural and primitive method of supporting the institution of the Gospel among us, by the voluntary offerings of the people.

2. *Resolved*, that as the Vestry has now abolished the system of renting pews from which the principal revenue was derived for the support of the Institutions of the Gospel, by making the sittings free, they would recommend that each individual member of the church and congregation be requested to contribute a fixed sum annually, as they may feel themselves enabled to do, in addition to their offerings on the Sabbath day.

3. *Resolved*, that out of the voluntary offerings, a sufficient sum shall be set apart to defray the current and incidental expenses of the church, and the balance thereof be paid to the Rector.

July 23, 1839,

*Signed,*

JOHN AGNEW,  
WM. LETFORD,  
Z. B. ZIEGLER.

On motion the Vestry adjourned to meet on Monday Evening, August 19th, 1839.

### *Extract from the Minutes, No. 6.*

An adjourned meeting of the Rector Wardens and Vestry of St. John's Church, held on Monday Evening August 19th 1839, at the Lecture Room, present, Messrs Boyd, Reed, Bender, Murray, Agnew, Letford, Miskey, Chadwick, Ziegler, Vinyard, and Mulock. The minutes of the last Stated Meeting were read and accepted, it was on motion,

*Resolved*, that the Vestry take up for consideration the first resolution attached to the report of the committee, which reads as follows:

“*Resolved*, that from, and after the 24th of September 1839, the system of selling and renting pews, shall be dispensed with, and thenceforth relying on the blessing of God our Saviour, we will restore what we

believed to be, the scriptural and primitive method of supporting the Institutions of the Gospel among us, by the voluntary offerings of the People,” on the motion for adoption, Mr. Reed called for the yeas and nays.

Yeas, Messrs Agnew, Letford, Chadwick, Mulock and Ziegler—5.

Nays, Messrs Vinyard, Reed, Murray, Bender, and Miskey—5.

*The members of the Vestry being equally divided, THE RECTOR GAVE HIS CASTING VOTE IN FAVOR OF THE RESOLUTION, so the resolution was declared to be adopted.*

### *Extract from the Minutes, No. 7.*

At a meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday Evening, September 26th, 1839; present, Messrs Boyd, Vinyard, Reed, Murray, Mulock, Miskey, Bender, Chadwick, Agnew. Mr. Vinyard presented to the Vestry a protest, signed by himself and four other members of the Vestry, and requested that the same might be entered upon the minutes.

COPY.

The undersigned, members of the Vestry of St. John's Episcopal Church, Northern Liberties, duly elected according to the Charter, having voted in the negative on a resolution adopted at a meeting of said Vestry, to-wit: “*Resolved*, that on, and after the 24th of September 1839, the system of selling and renting pews shall be dispensed with, and thenceforth relying upon the blessing of God our Saviour, we will restore what we believe to be, the scriptural and primitive method of supporting the Institutions of the Gospel among us, by the voluntary offerings of the people,” and being further anxious to express their dissent from the same, do solemnly protest against the action contemplated by said resolution, for the reasons following, which they desire to have entered on the minutes.

1st.—Because, a measure that involves so much importance to the interests and welfare of the church, ought not to have been adopted without previous consultation with the congregation upon the subject, at a general meeting called for that purpose.

2d.—Because, the measure assumes for the Rector and Vestry the right of legislation for the owners of purchased pews, without regard to their views or opinions, and in defiance of the sacred obligations of contract.

3d.—Because, after mature deliberation, the undersigned are convinced that the plan of raising revenue for the support of the Institutions of the Gospel, by means of assessments upon pews and sittings, is the best and the only one that can be depended on in the present condition of St. John's Church, for the support of the same.

4th.—Because, the undersigned have reason to believe, and are firmly of opinion, that the measure contemplated by the resolution referred to, is

unacceptable to a large majority of the members of the church and congregation, and will probably lead to a dispersion or a separation of the Church.

All of which is respectfully submitted,  
Signed,

James Vinyard,  
Abel Reed,  
Sam'l. A. Murray,  
John Bender,  
Anthony Miskey.

After considerable discussion upon the subject, the protest was ordered to be placed upon the minutes, by the casting vote of the Rector.

[The free church system went into operation agreeably to the resolution of the Vestry immediately after the 24th of September 1839, and about five months after, viz: February 20th 1840, the communication which follows in Extract No. 8, was addressed to the Vestry.]

### *Extract from the Minutes, No. 8.*

At a meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening February 20th 1840—present, Messrs. Boyd, Mulock, Agnew, Ziegler, Letford, Chadwick, Murray and Miskey.

The following communication was received from the Rector :

*Philadelphia, February 20, 1840.*

To the Wardens and Vestrymen of St. John's Church, N. L.

BRETHREN—

The accounting Warden informs me that he has consulted the Vestry respecting the proper interpretation of the 5th Section of the 5th Article of the By-laws, and that he has been instructed to deduct from the amount of the "offerings" received by him, not only 25 per cent. but such other amount as will pay "the interest on the Bioren Legacy, and such other interest money as has to be paid to the creditors of the church."

According to my understanding of the said 5th Section, 25 per cent. only, can be deducted from the amount received in "offerings," and the whole of that is only to be so deducted, when it may be necessary "to defray the incidental expenses of the church" &c. If for example, the "incidental expenses, including interest" &c., are provided for from any other source, then 25 per cent. is not to be deducted. That this was the intention of those who framed the By-laws, I think is evident, from the

\*Sec. 5.—The Warden shall pay to the Rector monthly, the amount of offerings received by him after deducting 25 per cent, or so much thereof as may be necessary to defray the regular and incidental expenses of the Church, including the interest on the Bioren Legacy, and such other interest money as has to be paid to the creditors of this church.

fact, that the 15th Article "of the right of interment," was avowedly framed with a view to derive from that source an income which might be appropriated to "the incidental expenses" &c., as well as from the construction of the said Section itself.

I am exceedingly sorry that it is necessary for me to advert so frequently to the subject of my own support. It is not to be concealed that the system which I have been mainly instrumental in procuring to be introduced, does not work well. Since it has been in operation, my receipts have been entirely inadequate for the support of my family, my mind has been disturbed, my feelings wounded; and had it not been for the kind and timely interference of two Brethren, who stepped forward of their own accord and solicited and contributed for my relief, I would not only have been exposed to embarrassment, but the cause of religion would have been subjected to reproach through me.

Candidly and in the simplicity of the truth, I do not believe brethren, that the fault is in the system. Where it is I do not pretend to say.—To those who have kindly interested themselves for my support and contributed in every way, I owe a debt of gratitude, which I can only repay by continuing to labor and to pray for the prosperity of the church. Hereafter I shall be indisposed to receive any thing from the church, which does not come to me through the regular channel. If I cannot be supported in this way I must resort to some other means, or remove to some other place. What I shall do, may the Lord give me wisdom to determine, and grace to do his will.

Yours, affectionately,

GEO. BOYD, Rector.

The above communication having been read was referred to a committee of four, with power to call a special meeting of the Vestry—committee, Messrs. AGNEW, MISKEY, MURRAY and LETFORD.

### *Extract from the Minutes, No. 9.*

At a special meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening March 5th 1840—present, Messrs. Boyd, Agnew, Letford, Murray, Mulick and Miskey. The committee appointed at the Vestry meeting held February 20th, upon a communication from the Rector, made the following report and statement.

COPY.

The committee appointed by the Vestry of St. John's Church, at a stated meeting held at the Lecture room on the 20th of February, to take into consideration and report on a communication received from the Rector.

Report, that they have had the same under consideration, and are fully sensible of the difficulties alluded to in the communication from the Rector in regard to the people of his charge, providing for the comfortable support of himself and family.

The committee are well aware also of the situation in which the Ves-

try are placed in regard to this matter. For it must be born in mind in consequence of the change that has been made in the manner of raising a revenue for the support of the Institutions of the church, the business has in a great measure passed from the Vestry and rests entirely between the Rector and the congregation, except so far as the Vestry are bound to co-operate in all measures that may be adopted, to bring the same to a successful issue.

The committee regret exceedingly that the Rector and the Vestry have not taken more active measures since the change has been made, to give it more publicity, and also to induce persons to come and unite with us in *Public Worship*, and we believe that frequent visits of the Rector would have a powerful influence in dispelling the prejudice that yet remains among many of the congregation, and would soon have the satisfaction of seeing that the system which he was mainly instrumental in bringing about, result in the manner he had anticipated.

After mature deliberation, they are unanimously of opinion that the best course to recommend is to call a meeting of the congregation or take any other opportunity to lay the whole subject before them in such a manner, that they may perfectly understand the situation in which he is placed, that there may not be any excuse on their part if they in future fail to give him a comfortable support.

They would therefore recommend the following resolution.

*Resolved*, That the Rector be requested to call a meeting of the congregation, or take any other mode he may deem proper, and lay the following statement from the Vestry before them, and also to urge upon them the necessity of performing their duty as becomes professing Christians, by giving liberally for the support of the Institutions of the Gospel.

All of which is respectfully submitted,

JOHN AGNEW,  
WM. LETFORD,  
SAM'L. A. MURRAY,  
A. MISKEY.

*Philadelphia, March 4th 1840.*

#### STATEMENT.

The Vestry have received a communication from the Rector, stating that the amount of money received by him from the voluntary offerings of the church, is entirely inadequate to the support of his family. Up to this present time he has received since the 24th of September last, between five and six months, only the sum of \$242, which is less by \$450 than he would have received at his former salary. Your pastor would have been exceedingly embarrassed had it not been for the kindness of some of the Brethren, who stepped forward unsolicited; contributed themselves, and solicited among their friends, a sufficient amount for the present emergency. Although grateful for the kindness displayed on this occasion, the Rector will be indisposed to receive his support in this way. He has expressed his desire that all monies contributed for his maintenance may pass through the regular channel.

The members of the church and congregation will readily perceive that the amount of "offerings" is far from being sufficient to defray the expenses of the church, and at the same time to support the rector. What is the cause? Certainly not inability. What then? Some will say perhaps, we disapprove of the change which has been made, and we feel indifferent as to the result. Others may withhold their "offerings" in order to bring about a return to the old system, that so their predictions, respecting the plan now in operation, may be verified. Such persons are perhaps all satisfied with the excuses which they have made. It is well if they can be so, with a clear conscience, and satisfy the Searcher of Hearts.

Your Pastor has notified the Vestry that unless a greater willingness is manifested by the church to provide for his wants, he must in justice to himself and family look for a support elsewhere. You are all aware that it must be exceedingly distressing to his mind to be constantly harassed by pecuniary cares, when he has not the privilege which others have of going out into the world, or of resorting to other means for his support.

In conclusion, the Vestry consider that they have done their duty in laying these facts before the church and congregation. They now leave the responsibility where it properly belongs—requesting at the same time that each individual will seriously consider the subject, pray for divine grace to enable him to see it in its proper light, and then act accordingly.

*By order of the Vestry, in Vestry meeting on Thursday evening the 5th day of March instant. A. D. 1840.*

After reading the above report and statement, it was resolved, that they be read to the congregation from the chancel on Sunday morning next.

#### *Extract from the Minutes, No. 10.*

At an Annual meeting of the Rector, Wardens and Vestry of St. John's Church, held at the Lecture room (agreeably to the charter) Wednesday evening April 22d, 1840—present, Messrs. Vinyard, Sanders, Reed, Ziegler, Donaldson, Berder, Murray, Mulock, Miskey and Janney.

The following return of an Election for Vestrymen, held on Easter Monday, was presented to the Vestry by James Vinyard the accounting Warden, and was directed to be placed upon the minutes.

At an Election held in this church on Easter Monday, April 20th 1840, agreeably to the charter, for ten Vestrymen, to serve the ensuing year, the following persons were duly elected.

B. S. JANNEY, M. D.  
JAMES VINYARD,  
ABEL REED,  
JOHN SANDERS,  
S. A. MURRAY,  
SIGNED,

JOHN BENDER,  
J. P. DONALDSON,  
Z. B. ZIEGLER,  
GEO. MULOCK,  
A. MISKEY.

*Osmon Reed,  
Wm. Letford,  
J. P. Donaldson,*

} JUDGES.

*St. John's Church, April 20th 1840.*

### Extract from the Minutes, No. 11.

At a stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Thursday evening May 15, 1840—present, Messrs. Boyd, Murray, Bender, Reed, Vinyard, Donaldson, Ziegler, Mulock, Janney, Sanders and Miskey.

The following Resolutions were offered by Messrs. Murray and Ziegler.

1st.—*Resolved*, that on the 6th of June next, it shall be the duty of the Accounting Warden, and he is hereby instructed, by the Rector, Wardens and Vestry of St. John's Church, to give notice to the congregation, that on and after the 24th of June next, the Pews and Sittings of this church will no longer be free, and that he will attend in the church on Monday the 14th of June and Saturday the 20th of June, for the purpose of selling and renting Pews and Sittings."

2nd.—*Resolved*, that any person renting a Pew or Sitting, shall be required to pay one quarter's rent in advance.

3rd.—*Resolved*, that any person or persons, who may not be able to rent a pew or Sitting in this church, shall on application to the Accounting Warden, have such Pews, Sitting or Sittings, assigned to them in such parts of the church as the Accounting Warden may designate, free of all charge.

4th.—*Resolved*, that the Resolution adopted by the Vestry at the meeting in August 1839, declaring the Pews and Sittings in St. John's Church free, be and the same is hereby repealed.

The above resolutions on being read, were on motion, laid upon the table until the next meeting of the Vestry—on motion it was *resolved*, that when we adjourn, we adjourn to meet this night two weeks.

### Extracts from the minutes, No. 12.

At an adjourned Stated Meeting of the Rector Wardens and Vestry of St. John's Church held on Thursday Evening 28th of May, present Messrs. Vinyard, Reed, Janney, Miskey, Ziegler, Donaldson, Mulock, Bender, Murray and Sanders.

The following preamble and resolutions were offered by Dr. Janney as a substitute for the first resolution offered by Mr. Murray, at the last Stated Meeting.

Whereas, it is indispensably necessary that a sufficient sum of money be raised to defray the current expenses of St. John's Church, and provide a comfortable support for the Rector,—and whereas, it is the incumbent duty of the Vestry of said Church, if possible, to devise means for the just and lawful accomplishment of the same,—Therefore, *Resolved* that if there be not, by weekly contributions, according to the present system, on or before Sunday the 14th day of June next, an amount of money raised, which will, at *that rate*, produce annually a sum sufficient to liquidate said expenses and leave a surplus of fourteen hundred dollars for the support of the Rector,—then, be it *resolved*, that on the afternoon of Sunday the 14th day of June next, it shall be the duty of Accounting Warden, and he is hereby instructed by the Rector, War-

dens and Vestry of St. John's Church to give notice to the Congregation, that on and after the 24th day of June next, the pews and sittings of said church will no longer be free, and that he will attend in the church, on Monday the 15th, and Saturday the 20th, days of June, for the purpose selling and renting pews and sittings.

*Resolved*, that if a sufficient sum be raised by weekly contributions to meet the expenses above stated, and provide a suitable support for the Rector, the pews and sittings of St. John's Church are to continue to be free,—but that if, at any period after the 14th day of June next, there shall be for the space of three successive Sundays a deficiency in the proportion of the weekly contributions, it shall be the duty of the Accounting Warden, to notify the Congregation of said deficiency, and its amount,—and if it continue, in whole or in part, until the fifth Sunday, then the pews and sittings of said church, are hereby declared to be no longer free,—and the Accounting Warden shall notify the Congregation to that effect, on the afternoon of said fifth Sunday, and then, specify the time and manner of selling or renting pews and sittings.

*Resolved*, that the above Preamble and Resolutions, be read to the Congregation of St. John's Church, on the forenoon of Sunday the 31st day of May, by the Rector.

The above being read, was accepted by the mover and seconder of the previous resolutions as a substitute for the first resolution—the Vestry proceeded upon the adoption of the substitute and resolutions by ayes and noes, when they were unanimously adopted.

[The sum required by the resolutions of the Vestry, not being raised by the voluntary offerings of the congregation, the Rector was requested in accordance with the resolutions, to give notice to the congregation, that the pews and sittings would be no longer free—and that the accounting Warden would sit in the church on the 22nd and 29th, for the purpose of renting pews and sittings. This notice, the Rector declined giving—when by the instruction of the Vestry, it became the duty of the Accounting Warden—and in the discharge of this duty, as the Warden was about to read the notice to the congregation, the Rector, in a peremptory manner, forbid his doing so; and in his sermon that morning, made use of remarks which gave rise to a call for a special meeting of the Vestry,—also upon the same day he addressed the following letter to the Accounting Warden.

### Extract from the Minutes, No. 13.

COPY OF A LETTER RECEIVED FROM THE REV. GEO. BOYD, JUNE 20th 1840.

To James Vinyard, Accounting Warden of St. John's Church, in the Northern Liberties—

DEAR SIR :

I hereby notify you that I shall and do claim, all the offerings which are made from time to time, upon the altar in the church,

where I minister, until the same shall amount to a sufficient sum for the comfortable support of myself and my family. You are therefore requested to keep a separate account of these offerings, and to pay them over to me from time to time.

Yours affectionately,

GEORGE BOYD,  
Rector of St. John's Church, N. L.

June 20th 1840,

### *Extract from the Minutes, No. 14.*

At a special meeting of the Rector, Wardens and Vestry of St. John's Church, held at the church on Monday afternoon the 22d of June 1840, —present, Messrs. Boyd, Murray, Donaldson, Mulock, Vinyard, Reed, Ziegler, Bender, Janney and Miskey.

The object of the meeting being stated, Mr. Reed offered the following Preamble and Resolutions, which after being read and discussed, were upon motion laid upon the table.

*Whereas*, the Rector, Wardens and Vestry of St. John's Church, did at their meeting, on the 19th of August last, by resolution, declare the pews and sittings in said church free, and that "relying upon the blessing of God, they would hereafter depend upon the voluntary offerings of the people," for the necessary pecuniary means of revenue, for the support of said church, and *whereas*, that after the subject had been urged, upon the notice of the Vestry and Congregation, for years by the Rector, and the proposition having been considered inexpedient and impracticable, had been twice in previous years rejected, and *whereas*, the said Rector, Wardens and Vestry, did at the meeting above stated, pass the resolution above referred to, by the casting vote of the Rector; there having been five Vestrymen who voted in the negative (and who did enter their solemn protest against the measure, upon the records of the proceedings of the Vestry), and *whereas*, we believe that in passing the resolution above referred to, the Rector, Wardens and Vestry of the said church, assumed a power never contemplated by the Charter, and further, that considering the pecuniary condition of said church, such a measure was to say the least of it, of doubtful propriety, and also considering the rights of those who had purchased pews, and paid their money into the treasury of the church for the churches good, we conceive that a measure, which thus virtually takes away, without consent or remuneration, by giving to others free of cost; privileges, which they had thus in good faith, purchased with their money, was not in accordance with the principles of that Golden rule which requires that we should do unto others, as we would that others should do unto us. And *whereas*, we believe that the above measure was carried into effect against the wishes of a large majority of those who have any legal or ecclesiastical right to take part, or to vote in any matter relating to the temporal affairs of the church, and *whereas*, it is evident to all that the above measure has been the fruitful source of great difficulty and anxiety, and continual discord, that

it has tended to destroy that good feeling which has heretofore existed among the members of the church, and to drive from among us many valuable members of the congregation, some of whom had worshipped with us for many years, and whose families had grown up under the influence of the church, and that in short, unless the Lord interpose his arm to save, that under present circumstances, St. John's church appears, both in her temporal and Spiritual prospects to be rapidly tending to destruction, and *whereas*, "for the well governing and directing the temporal affairs of the said church, the Rector, Wardens and Vestry, have power to regulate every matter relating to the same," and *whereas*, the Spiritual prosperity of the church and her proper influence upon the surrounding population, depend though not mainly, yet in a considerable degree upon the proper regulation of, and necessary provision for, her temporal wants, therefore the said Rector, Wardens and Vestry, not only have the power, but it becomes their bounden duty (for the faithful discharge of which they *alone* are accountable to the great Head of the church) to ever keep a watchful eye over all the temporal interests relating to the said church, ever desiring in all their measures, to promote not only the temporal, but also the spiritual welfare of the Lord's vineyard. With these views of the duty devolving upon us, and considering all the circumstances leading to, and the present deplorable condition of the church, the Rector, Wardens, and Vestry, did at their meeting held on Thursday the 28th day of May, by resolution, request the Rector to give notice to the congregation, that unless a sum which would at that rate, be sufficient to meet the necessary expences of the church and leave a balance of fourteen hundred dollars, for the Rector, be collected by the then present system, on the three following sundays, that the Accounting Warden be directed to give notice to the congregation, that the pews and sittings would be no longer free, and that he would sit in the church on certain days, for the purpose of selling and renting pews or sittings—and *whereas*, the sum required by the resolution referred to, was not raised, there having been a deficiency of more than forty dollars for the three sundays, and notice was given, in accordance with the requirements of the resolution, and *whereas*, the Rector has taken upon himself in a public manner, from the pulpit, on the morning of Sunday the 21st inst. to judge this act of the Vestry, *beseeking the members of the church and congregation not to rent pews or sittings under the regulation of the Vestry*, and claiming for himself to be the *Ruler of the church*, and declaring in positive language, that the Vestry were acting in disobedience to Christ, and in substance, that *unless they repented of this act, they would be shut out from the Kingdom of Heaven*, and *whereas*, he has upon a former occasion in a public manner, stated that if the Vestry returned to the system of selling and renting pews, he would not receive a dollar from them, and also upon another occasion, that *he could not and would not preach in a church where they sold or rented pews*—and *whereas*, this Vestry, in view of the duties devolving upon them, as the trustees and guardians of all the temporal interests of the church, have thought it necessary and the best, and only course, which they could pursue amidst the difficulties in which they were involved, to restore the

system commonly adopted in the churches in this country, of selling and renting pews and sittings, as a means of raising revenue for the support of the church—and *whereas*, the Rector has intimated his determination, to still adhere to the system of *offerings*, in defiance of the resolution of the Vestry, and has notified the Accounting Warden that he will claim all the offerings which are made from time to time upon the altar in the church where he ministers, until the same shall amount to a sufficient sum for the comfortable support of himself and family.

Therefore *Resolved* 1st, that inasmuch as the system of voluntary offerings, as a means of raising revenue to meet the pecuniary wants of the church, has after a trial of nine months, been found to be altogether ineffectual in its object, and that this Vestry having by an *unanimous vote*, restored the system of selling and renting pews and sittings, it is therefore sincerely desired and expected that all the true friends of the church, will sustain the Vestry by coming forward and complying with its regulations.

2d, *Resolved*, that this Vestry cannot recognise any other system for raising revenue as now in operation in St. John's Church, than that which they in the discharge of their proper duties, have unanimously adopted.

3d, *Resolved*, that no money shall be paid to the Rector, or any other officer of this Church, except as from the common treasury, derived from the sale or rents of pews and sittings, box collections and all other legal means of revenue belonging to said church.

4th, *Resolved*, that we have witnessed with great pain and mortification, the determined stand which the Rector has taken, in opposition to the unanimous vote of the Vestry.

5th, *Resolved*, that the Rector is not the "ruler" of the temporal affairs of the church, but that the Rector Wardens and Vestry, alone have the power to regulate all matters relating to the same.

6th, *Resolved*, that the Accounting Warden be directed, to give notice to the congregation on Sunday Morning next, and also in the afternoon of the same day, that he will sit in the same church on Monday the 29th inst. for the purpose of selling or renting pews and sittings, and also, that at the same time he notify those who wish to retain the pews and sittings which they now occupy, that unless they give notice to the Accounting Warden to that effect, on or before Monday the 6th day of July, such pews and sittings will be considered as vacant.

7th, *Resolved*, that a committee of three be appointed to wait upon the Rector, and respectfully request of him a copy of his sermon delivered on Sunday Morning the 21st inst. for publication,\* and also, that the said committee be instructed to prepare a general statement of the late proceedings in the church, in relation to its pecuniary affairs, and to consult the Bishop upon the subject of the present difficulty, between the Rector and the Vestry of the church.

On motion it was resolved that we adjourn to meet on Thursday Evening the 25th inst.

\* A copy of the sermon above referred to was furnished by the Rector, but the Vestry being much engaged with other business, no action was taken upon it, nor any use made of it, until it was requested by the Rector, that it should be returned to him,—which request was immediately complied with.

## Extract from the Minutes, No. 15.

An adjourned meeting of the Rector, Wardens, and Vestry of St. John's Church, held on Thursday Evening, June 25th, 1840.

Present, Messrs Reed, Janney, Sanders, Vinyard, Ziegler, Donaldson, Mulock, Murray and Miskey.

The following communication was received from the Rector.

COPY.

To the Wardens and Vestrymen of St. John's Church, N. L.

BRETHREN,

After the most serious reconsideration of the subject which I am able to give it—with prayer to God for that wisdom which he has promised to bestow on them that feel their need and ask. I cannot perceive wherein I have erred in the application of the doctrine of my discourse on last Sunday Morning. I have also searched my own heart, and I find no other feelings than those of sincere affection, mingling with those of very strong disapprobation, at the course which the Vestry have seen proper to pursue, God is my witness how greatly I long after you all in bowels of Jesus Christ, and gladly I would embrace each one of you, returning into the path of *holy obedience*, I have concluded not to be present at your meeting to night. You know my mind, so far as the difference between us has proceeded, and I have thought that perhaps your deliberations will be more unreserved if I am absent. Lest however there should be any misunderstanding which I can, and ought to remove, I deem it proper to say to you, that I can see no possible way in which the Vestry can relieve itself, from the distressing position which it has taken, but by receding therefrom and uniting with me, in an effort to sustain the scriptural and apostolic order of the Lord's House. If you will do so, my soul will rejoice, and a heavy burden of distressing anxiety, which is purely on your account, will be removed. But if on the contrary you will still adhere to the resolution which you have taken under what I believe to be a mistaken views of duty, and an evil influence, then I think it proper that you should be informed, at this stage of your proceedings that I will be compelled to exercise the discipline of the church, however painful such a step will be. It is not against me that you have offended, but against the Lord, neither have I any discretion when acting for him, and in his name, where a plain case of duty occurs. May the Lord give you wisdom, and put within each one of you, the spirit of a little child, that you may be willing to render *obedience* to that authority which he has set over you, and submit yourselves to him who watches for your souls as one that must give an account, O! that I may do it with joy and

not with grief. Allow me to request that if the resolutions now before you are not withdrawn and a vote is taken upon them, that the yeas and nays may be entered upon the minutes that I may know who have persisted and who not.

*Yours affectionately in the love of the Gospel,*

GEO. BOYD, *Rector of St. John's Church.*

Philadelphia, June 25, 1840.

P. S.—I have been informed that the Vestry have acted under an impression, that they are still legally accountable to me, for the salary which I formerly received. I would repeat, that I have relinquished all claims to such salary, and do relinquish it.

GEO. BOYD, *Rector as aforesaid.*

After reading the above communication, it was on motion *resolved* that the Vestry do now take up for consideration the preamble and resolutions, offered at the meeting held on the 22d inst. (*see Extract No. 14.*)

The question being called on the adoption of the Preamble—the vote was taken by yeas and nays, and resulted as follows,—yeas, Reed, Janney, Ziegler, Sanders, Vinyard, Donaldson, Mulock, Miskey, Murray, Bender\* 10—being entirely unanimous.

On motion it was *resolved*, that the resolutions attached to the preamble be now taken up for consideration separately.

When the first resolution was adopted by the same vote.

The second resolution was also adopted unanimously.

Third resolution was adopted by the following vote, yeas, Reed, Janney, Sanders, Vinyard, Ziegler, Donaldson, Miskey, Murray, and Bender 9, nays, Mulock—1.

Fourth resolution was adopted in the same manner, by an unanimous vote.

Fifth resolution was adopted unanimously.

Sixth resolution was adopted unanimously.

Seventh resolution was adopted unanimously.

On motion it was *resolved* that the two Wardens together with Dr. Janney be a committee to carry into effect the 7th resolution.

*Note*—On the Sunday Morning following the adoption of this preamble and resolutions. The Rector informed the Warden that he should suspend the whole Vestry from the communion—and from the pulpit directed the Secretary of the Vestry to call a meeting on the following Tuesday.

\* Mr. Bender's vote is placed in the affirmative, although absent, because at the next meeting of the Vestry he requested the privilege of having it so inserted.

## *Extracts from the Minutes, No. 16.*

A special meeting of the Rector, Wardens and Vestry of St. John's Church, held on Tuesday Afternoon, June 30th. 1840.

Present, Messrs Boyd—and a full Vestry.

The Rector stated verbally to the Vestry, that the object of the meeting was in relation to the letter which he addressed to the Vestry, on the 25th inst. upon exercising the discipline of the church upon those members who persisted in the passage of certain resolutions before the Vestry at that time, (which resolutions were adopted by a unanimous vote.)

The Rector stated in substance, that in accordance with that communication he had determined to suspend from the communion, the members of the Vestry who voted in favor of the resolutions when they were adopted; but, that upon consulting with the Rt. Rev. Bishop Onderdonk—he had found that the Bishop disagreed with him upon the subject at issue, and sustained the measures adopted by the Vestry, and consequently he in obedience to his ecclesiastical superior was obliged to desist.

The Rector also stated that he would make a communication upon the subject, to the Vestry at their next meeting, and desired that nothing further should take place in the meantime upon the subject.

## *Extract from the Minutes, No. 17.*

At a stated meeting of the Rector, Wardens and Vestry, of St. John's Church, held on Thursday evening July 9th 1840.

Present, Messrs. Vinyard, Reed, Murray, Sanders, Bender, Ziegler, Donaldson and Miskey.

The following communication was received from the Rector:

*To the members of the Vestry of St. John's Church, N. L.,*

DEAR BRETHREN:

It will not be convenient for me to attend the meeting of the Vestry which is called for this evening; nor do I suppose that it is important I should do so.

When I last met you, I stated verbally, that I had called upon and consulted the Bishop of the Diocese, with respect to the course which I thought myself reluctantly compelled to pursue, in order to fulfil my duty to Christ; that he differed from me in opinion as to what was my duty, and the powers of the Vestry; and that I would as in duty bound, submit to his judgment.

I stated also to the Vestry, that I had seen no reason to suspect the soundness of the principles according to which I had endeavoured to regulate my ministry, but that in compliance with the judgment, and advice of the Bishop, I would present no further *direct* opposition to any

measures which the Vestry may feel themselves called upon to adopt; my judgment is known, and it is unaltered.

It is not my intention to make any further public communication to the church upon the subject, until the meeting preparatory to the administration of the Lord's Supper, in August. If the Vestry will have a meeting shortly, before that time I will be happy to communicate to them what I intend to say.

In the mean time my prayer to God, who only maketh men to be of one mind in a house, will be, that he may overrule our present differences of opinion, to his own Glory and to the Salvation of all parties concerned.

*Yours, affectionately,*

GEO. BOYD, Rector, &c.

July 9, 1840.

### *Extract from the Minutes, No. 18.*

At an adjourned meeting of the Vestry of St. John's Church, held on Thursday evening July 23d.—Present, Messrs. Vinyard, Reed, Janney, Mulock, Murray, Donaldson, Bender, Sanders, Ziegler and Miskey.

The following communication was received from the Rector.

COPY of a Letter from the Rev. Geo. Boyd, to the Vestry of St. John's Church, N. L.

*To the Vestry of St. John's Church, Northern Liberties.*

DEAR BRETHREN:

In my note to you on the 9th inst. I stated that it was not my intention to make any further public communication upon the subject in dispute between us, until the meeting of the members of the church, which would be called preparatory to the administration of the Holy communion, on the first Sunday in August next, and that if the Vestry would have a meeting shortly before that time, I would be happy to communicate to them what I intended to say.

Although I expect to be absent on the next Sabbath. at West Chester, attending the ordination of my young Brother, Richard Newton, I shall request a notice to be given for a meeting of the communicants of St. John's, preparatory to the administration of the Lord's Supper, on Wednesday evening of next week, at 8 o'clock, at which time it is my intention to state to the members of the church, substantially as follows:

That my mind is unchanged with respect to the soundness of the doctrines which I have preached, and my confidence unshaken in the approbation of him whom I serve in the ministry of the Gospel, that never-

theless, as a majority of the Vestry have differed from me in opinion, and have acted upon what they supposed to be their rule of duty, and the Bishop of the Diocese, to whom I owe all proper ecclesiastical submission, has so advised—I have concluded, not to present any further *direct opposition* to the action of the Vestry; however I may deplore it for Christ's sake, or however firmly I may be convinced that the members thereof are acting under a misapprehension of what is the will of Christ.

In the mean time I shall feel myself constrained by the highest possible obligations to God and to his church, to preach the truth, and rightly to divide it according to the best of my ability and the wisdom which may be given.

With respect to the "offerings" of those who may wish to communicate of their substance for my support or relief, I shall say that although by the action of the Vestry, I am prevented from receiving any thing at their hands in the way in which I would prefer, and which I believe the Lord would approve—*there is nothing to hinder them from presenting their "oblations" with their "alms" at each administration of the Lord's Supper.* (See Extract No. 14, resolutions 2 & 3.)

Before I conclude, let me repeat to the Vestry, what I have assured them of before, how greatly I lament the attitude which they have taken, chiefly because I do most seriously believe that they are opposing the will of God in Christ Jesus, and because I fear that some who are "weak in faith" will be offended and turned out of the way.

To the Lord I look, and to him alone, to overrule all to the furtherance of his own glory and to the salvation of his people.

*Yours, very affectionately in the fellowship of Christ,*

SIGNED,

GEO. BOYD, Rector, &c.

July 23, 1840.

The above having been read and discussed, it was on motion of Messrs Donaldson and Reed, unanimously *Resolved*, that a committee of five be appointed to prepare a general statement of the proceedings which have led to the difficulty existing between the Rector and Vestry, and to respectfully request of the Rev. Geo. Boyd, D. D. his resignation as Rector of St. John's Church. The Chair appointed Messrs. Donaldson, Reed, Sanders, Janney and Ziegler as the committee. Vestry adjourned to the 25th inst.

### *Extract from the Minutes, No. 19.*

Saturday evening July 25th, 1840.—The Vestry met according to adjournment, to receive the report of the committee—present, Messrs. Vinyard, Reed, Janney, Sanders, Murray, Mulock, Ziegler, Bender, Donaldson and Miskey, 10.

The Committee appointed at the last meeting made the following report:

The committee appointed at a meeting of the Wardens and Vestry of St. John's Church, N. L., to make a statement of the proceedings which have led to the difficulty existing between the Rector and the Vestry, and to prepare a resolution, asking for the Rector's resignation, beg leave to report, that they have taken the matter thus placed before them into serious consideration, and have endeavoured to give the subjects embraced in the object of their appointment, that attention which their importance to the welfare of the church, and those for whom they act, demand.

In making a statement of the proceedings which have led to the difficulty between the Rector and the Vestry, your committee do not deem it necessary to embrace in detail in this report, all the proceedings of the Vestry which have reference to the present difficulty in the church, yet they do deem it important to refer briefly to some of those proceedings, in order that the present position of the Vestry, in relation to the Rector and the Church, may be clearly understood, and it will also, for the same reason, be necessary to refer (and we desire that we may do it in no other spirit than that of kindness), to the course pursued by the Rector, in reference to the matter before us.

It will be recollected, that as early as November 1835, the Rector addressed a communication to the Vestry, recommending the abolishing the system of selling and renting pews and sittings, as a means of raising revenue for the support of the church, and in place thereof, to declare all the sittings free, and to depend in future, upon the voluntary offerings of the people from week to week, for the necessary pecuniary means of support for the church. Upon this communication, a committee in Vestry was appointed to take the matter into consideration, which committee, after mature deliberation, reported adverse to the Rector's recommendation, which report was adopted by the Vestry, and the committee discharged. (*See Extract No. 1.*)

Thus the matter rested (except that both before and after this action of the Vestry, it was made a matter of very frequent public disquisition by the Rector, in his preaching), until September 1836, when the Rector again brought the matter before the Vestry, and at the same time addressed a Pastoral letter to the congregation upon the subject, in which he set forth his objections to the then present system of raising revenue, and his arguments in favour of the system which he recommended, upon which a committee was again appointed in the Vestry, which committee again reported adverse to the change, and which report, was after much discussion, with all the light and argument which the Rector had been able to place before them, adopted by the Vestry, and the committee discharged. (*See Extract No. 2.*)

Thus again the matter rested until June 1839, when upon referring to the annual statements of the Accounting Warden, it was found that for some years past, and during the discussion of this matter, by the Rector, that from some cause or causes, the revenue of the church had become

much reduced, until as it appeared by the report of the Warden made, at that time, that at the end of the year we should be several hundred dollars deficient of the sum required to meet the necessary expenses of the church. In this dilemma the Vestry appointed a committee to consult with the Rector upon the condition of the church, with reference to its pecuniary affairs, which committee, adopting the counsel of the Rector, reported in favour of abolishing the system then in practice, of selling and renting pews and sittings, and declaring the pews and sittings free, and that, thereafter "they would with the blessing of God, depend upon the voluntary offerings of his people for the necessary pecuniary means for the support of the church." (*See Extract No. 5.*)

Thus was the Rector's favourite scheme for raising revenue, again brought in form before the Vestry, where the matter was discussed at several of its meetings, and after having thus been before them for years, and urged upon their serious consideration with great zeal and perseverance by the Rector, was finally decided in the affirmative by the casting vote of the Rector, there having been five Vestrymen who voted in the affirmative and five in the negative. Those voting in the negative placing their solemn protest upon the minutes of the proceedings of the Vestry. (*See Extract No. 6 & 7.*)

Thus was a system for raising revenue abolished in St. John's Church, which has the sanction of almost the universal usage of the Episcopal Church in this country, and as your committee believe the only system for that purpose which can be depended upon with any degree of certainty, under the circumstances, in which the church exists with us at the present time; and your committee in thus reviewing the matter, cannot but express their conviction, that in the action of the Vestry referred to, they assumed a power never contemplated by the charter under which they were bound to act, and that in reference to those who had purchased pews it was an act of injustice, and should not have been carried into effect, until the money which they had paid for privileges, which they had a right to suppose would be granted to others *only* on like conditions, had been refunded to them, or, their consent to freely give up privileges thus purchased had been obtained.—Neither can your committee reconcile the propriety of such a measure, with the obligations resting upon the Vestry with reference to the heavy pecuniary debt still remaining upon the church—and further, when we consider that a matter involving such important considerations, was decided by the casting vote of the Rector, we cannot but express our deep and sincere regret, for his own sake, and for the sake of the peace and quiet of the church, that he did not waive his privilege, and have waited a more favorable state of things, for carrying out, what we do not doubt, he thinks a more scriptural system of finance.

Accordingly the pews and sittings were declared free, on, and after the 24th of Sept. 1839, and the church and congregation were urgently called upon, to contribute of their substance upon the altar, whenever they came up to the Lords House to worship.—The Rector at the same time stated from the pulpit, that in the providence of God, his family was provided with a home, and that he should need but little for his support, and

as he had previously stated to the Vestry, *that he would be content to receive whatever the amount of offerings might be, after paying all the current expenses of the church*, the Vestry had supposed, that the Rector in carrying out his own favourite plan, would have been content to receive whatever his people felt disposed to offer—but in this they were disappointed, for but a short period had elapsed, before he made a public appeal from the pulpit, stating in substance that he had never been supported by the church, and that he had during his rectorship expended of his own means about 5000 dollars, over and above what he had received from the church.\* That he had been, and was still in debt—and that *his debts* were the debts of the church—and that the "offerings" were entirely inadequate to his support upon this communication the Vestry did not feel called upon to take any action, as they considered it as a matter resting entirely with the congregation, the Rector having relinquished all claim upon them, but some of the Brethren in a spirit of sympathy and kindness, did solicit and obtain a considerable sum from the members of the congregation, for his immediate relief.—A few weeks subsequent to this, the Rector addressed a communication to the Vestry, (*see his letter Extract No. 8.*) stating in substance, that the offerings of the people were entirely inadequate for his support, and that unless they were increased he should be under the necessity of resorting to some other means of support for himself and family—and at the same time stated that he should be unwilling to receive any further assistance, except in the regular way as offerings upon the altar. The Vestry took this communication into serious consideration, a committee was appointed to prepare a statement of the revenue of the church under the present system, and also, an address to the congregation urging upon them that if they wished to retain the services of the Rector, they must increase their offerings for his support. The statement thus prepared, and the appeal thus made were read to the congregation by one of the Wardens, that they might be made acquainted with their true situation, (*see Extract No. 9.*)

Your committee deem it proper to remark in this stage of their review, that during the discussion of the question of abolishing pew rents, previous to its adoption, much dissatisfaction and anxiety was expressed among many of the members of the church and congregation, and that upon the adoption of the measures of the Rector, that dissatisfaction still continued to be felt and expressed, and that through all these proceedings down to the present time it must have been evident to all, that many disapproved of, and were offended by these changes, and, that as a consequence the appeal of the Vestry, had but little influence, (except to confirm still more decidedly those who disapproved of the measure of a free church, in their conviction of its impracticability at least in St. John's), inasmuch as it was found that the offerings were not materially increased.

The Rector finding this to be the case, gave notice on the morning of the first Sabbath in April, that he had fully made up his mind to resign his pastoral charge, and that he would give his reasons for so doing on the Sunday Morning next after Easter.

\* His average Salary was about 1400 dollars per annum.

Thus was the measure chiefly brought about by the instrumentality of the Rector, likely to have been brought to an end by an acknowledged failure,—but it so happened that a meeting of the male members of the congregation, was called on the Monday Evening following, for the purpose of nominating candidates for Vestrymen for the election, to take place at Easter, at which meeting a motion was made and seconded, to appoint a committee of three persons, to take into consideration the communication of the Rector, made on the Sunday previous, with power to call a meeting of the congregation, which motion was adopted by that meeting, but that committee *was not* authorised to communicate to the Rector *any sentiment, or opinion as the sense of that meeting*. It appears also, that a meeting of the female members of the church had been called upon the same evening, with reference to some charitable society, and having no connexion with the Rector, but, that some of the females at that meeting, were anxious to retain the Rectors services, and that a committee was *self-constituted, not having been appointed by the meeting in a regular way*, who took upon themselves, to interfere with what exclusively belongs, by the tenor of the Charter and By-Laws, to the male members of the congregation, and waiting upon the Rector, requested of him in the name of the female members of the congregation, that he should not resign his pastoral charge. A meeting of the congregation was also called by the committee appointed at the previous meeting of the male members of the congregation, at which meeting several resolutions were offered, and among them one to this effect. "That the Rector be requested not to resign his pastoral charge, until it can be ascertained, whether a sum sufficient for his support, can be obtained by voluntary offerings." This resolution after much discussion was declared by the chairman of the meeting, to have been decided in the affirmative; your committee refer to this resolution, not with the intention of impugning the decision of the chairman, but we deem it proper to state that we cannot consider the passage of this resolution as a fair expression of the views of that meeting, as we believe that they were not prepared to vote upon the matter, under the then existing circumstances from the fact, that a very large majority of those present remained silent, *and did not vote either for, or against the resolution*. But upon representations which were made to the Rector, he seems to have thought that a large majority of the congregation were in favor of his remaining, and accordingly, on the Sunday after Easter he gave notice from the pulpit that he should not resign his pastoral charge.

In order to a right understanding of the action of the Vestry, it may be proper to remark that in accordance with the Charter, an election for Vestrymen had taken place on Easter Monday, and in the result some changes took place, gentlemen constituting the members of that body. (*see Extract No. 10.*) And the Vestry as now constituted at their first regular Monthly Meeting in May, in reviewing the condition of the church, were compelled to consider the system adopted by the advice of the Rector as having entirely failed, that the system of offerings as a means of revenue, was upon trial found, to be precarious and uncertain, that great discontent prevailed in the church; that many had left us, and many

more were likely to do so ; that in short, we were no longer a church at peace, but were as a " house divided against itself, and to all" appearance were rapidly tending to destruction.

Under these circumstances, the Vestry feeling the obligations resting upon them as the guardians of the temporal interests of the church, thought they were called upon to restore the system of selling and renting pews and sittings, and did accordingly, pass a series of resolutions, under certain conditions to return to the old system. (*see Extract No. 11 & 12.*) And here we would remark inasmuch as it has been intimated that the Vestry took advantage of the Rectors absence, and passed these resolutions without his knowledge the committee deem it due to the Vestry to say that the resolutions referred to, were offered in the Vestry in the presence of the Rector, and with his full knowledge, that in his presence the Vestry adjourned to meet at a subsequent time for the express purpose of acting upon these resolutions, and under such circumstances if he was not present at their final passage as amended, the Vestry ought not to be held accountable for his absence.

The conditions of these resolutions by which the free system would have been continued, were not complied with by the congregation, and consequently notice was given that on and after the 24th of June 1840, the pews and sittings would be no longer free.

These resolutions, and this notice, gave great offence to the Rector, and he in a public manner from the pulpit called upon the congregation not to comply with the resolutions of the Vestry, *assumed for himself to be the ruler of the church*, (making no distinction between the spiritual and temporal affairs of the church,) also stating positively that the Vestry were acting in disobedience to Christ, and in substance that unless they repented of this act they would be shut out from the kingdom of Heaven,—also, indirectly threatening to exercise the discipline of the church; and again, upon another occasion on the following Sunday in like manner from the pulpit, charging indirectly, upon the Vestry, that by returning to pew rents, they had made God's house, "*worse than a den of thieves*," and reiterating again his call to the congregation "not to encourage in any way the selling and renting of pews or sittings," and adding, "that if they did, God would not bless them."

Under these public aspersions, the Vestry felt aggrieved, and a special meeting was called for the purpose of considering what was their path of duty, under such circumstances, and also, to consider a communication which had been addressed by the Rector to the Accounting Warden. (*see Extract No. 13.*) At this meeting were offered a certain preamble and resolutions stating the ground upon which the Vestry had acted, and expressing their grief and disappointment at the stand taken by the Rector, and also, their views with reference to their position in general, (*see Extract No. 14.*) The Rector was present at this meeting, and after some discussion, upon the preamble and resolutions, the Vestry at the request of the Rector, deferred final action upon them at that meeting, and adjourned to meet at a subsequent time, at which time they according to adjournment, met.—At this meeting the Rector was not present, but ad-

ressed a communication to the Vestry, calling upon them to "return to the path of *Holy Obedience*" by retracing their steps and following him, and stating that if the preamble and resolutions then before the Vestry were adopted, he should feel called upon to exercise the discipline of the church—upon all who voted in the affirmative, and intimated his determination, to still persist in carrying out his own measures in defiance of the Vestry," (*see Extract No. 15.*)

The preamble and resolutions were however *unanimously adopted* by the Vestry, (with the exception of one negative vote upon one of the resolutions) of which the Rector was informed by the Accounting Warden, on the morning of the following Sunday—upon which he informed the Warden that he should suspend from the communion the whole Vestry, and on the same morning from the pulpit, ordered the Secretary of the Vestry to call a special meeting upon the following Tuesday, as we supposed for the purpose of putting in force the discipline of the church by our suspension.

The Vestry met in compliance with the call of the Rector, upon which occasion the Rector stated in substance that he had come to the determination to suspend the Vestry, and had called this meeting for that purpose, but that upon consulting on the morning of that day, with the Bishop of the Diocese he had found that the Bishop differed with him in opinion as to the powers of the Vestry, and that he sustained the Vestry in their late measures, with reference to a return to pew rents, and that consequently he was obliged to submit to his ecclesiastical superior, in the matter of their suspension, and therefore, should not proceed in the exercise of the discipline of the church as he had intended. (*see Extract No. 16 & 17.*)

In this stage of the proceedings inasmuch as the Rector had repeatedly called upon the congregation not to comply with the regulations of the Vestry, and that they should not in any way encourage the renting of pews and sittings, and inasmuch as according to the Rectors own statement, the Bishop of the Diocese sustained the Vestry in their late proceedings, the Vestry requested him to inform them what course he intended to pursue in reference to the difficulty between them hereafter. In reply, the Rector stated that he had no further communication to make to the Vestry at that time, but that he would at a subsequent period make a communication to them, and to the church upon the subject.

After an elapse of several weeks the Vestry having received the communication promised by the Rector, stating what he declares shall be the substance of his communication to the church, find in that communication, that although he declares that he will make no further *direct* opposition to the measures of the Vestry, yet at the same time he also declares that his own views are unaltered, and substantially, that although he is by the action of the Vestry, prevented from receiving the *offerings* of the church in the way which he desires, yet he intends to invite those who are so disposed, to contribute upon the altar for his support, at each administration of the Lord's Supper, and again reiterates his declaration that the Vestry are acting in *disobedience* to the will of Christ, (*see Extract No. 18.*)

By the tenor of the communication above referred to, your committee conceive that notwithstanding the opinion of his ecclesiastical superior. The Rector in substance still persists in his determination to carry out his own measures in defiance of the measures of the Vestry, (and we would here remark that we consider an *indirect* opposition, as more to be deplored than one that is open and avowed) and that although he has of necessity, not suspended the Vestry, yet we consider that in fact, so far as he has the power, they are now virtually suspended; and taking this view of the matter, your committee think that under present circumstances the members of the church composing the Vestry, cannot receive the sacrament of the *Lord's Supper* at his hands, inasmuch as we conceive that he cannot conscientiously administer it unto them.

Thus it will be perceived that the Rector and the Vestry, are still directly at issue, the Vestry acting in the conscientious discharge of their duty, and seeing no other course which they could pursue, having by an unanimous vote restored the old system, and calling upon the congregation to sustain them, and the church, by complying with their regulations, and on the other hand the Rector setting at naught their proceedings, and calling upon the congregation not to comply with the action of the Vestry, and inviting them to contribute at the communion table for his support, and thereby applying to other purposes, the "alms" and "oblations" made upon these occasions, which we have ever regarded as sacred to the poor of church.

Thus from a very serious and careful review of the whole matter, as far as we were able in the brief period of time allotted us, your committee are of opinion, that the Vestry in the proper discharge of the duties devolving upon them as the representatives of the church and congregation have no alternative left, than that of respectfully requesting a separation of all sacerdotal relations between the Rector and themselves. However painful this step may be, nevertheless we believe it to be the only one which will ultimately reconcile the disunion which at present exists in St. John's Church, and bring it back to that state of harmony and brotherly love which should be the distinguishing characteristic of a christian church. It is self evident, that should the state of things which now exists in the church, be permitted to continue, it will not only prove highly detrimental to the spiritual and temporal welfare of this church, but be the means of casting reproach upon our whole communion and may eventuate in hindering the progress of the gospel of Christ. Under these circumstances your committee repeat, that there appears to them, to be alternative but a separation.

Your committee therefore beg leave to offer the following Resolution.

Resolved by the Vestry, that the Rev. George Boyd D. D. Rector of

St. John's Church N. L. be respectfully requested to resign the Rectorship of said church.

Philadelphia, July 25th 1840.

JACOB P. DONALDSON,  
ABEL REED,  
ZACH. B. ZIEGLER,  
JOHN SANDERS,  
BENJAMIN S. JANNEY.

The above Report and Resolution being read and discussed, were on motion, unanimously adopted by a full Vestry. On motion it was

Resolved, That the Secretary be directed to furnish the Rector with a copy of the above Report and Resolution, at as early a day as possible.

### Extract from the Minutes, No. 20.

At a special meeting of the Rector, Wardens and Vestry of St. John's Church, held on Friday evening July 31st 1840.

Present Messrs. Vineyard, Reed, Ziegler, Bender, Sanders, Mulock, Murray, Donaldson, Janney and Miskey.

The following communication was received from the Rector.

To the Wardens and Vestrymen of St. Johns Church N. L.

DEAR BRETHREN,

I have received a communication from you, purporting to be a report of the proceedings of the Vestry in reference to matters in dispute between the Vestry and myself from the beginning, and concluding with a resolution requesting me to resign the Rectorship of St. Johns Church.

I am not prepared to notice in detail the particulars contained in the Report above mentioned, neither can I command the time necessary to do so at present, with respect to the resolution appended to the report, I have only to say, that I cannot comply with it, without being unfaithful to the solemn vows of my ordination.

With sincere affection, and continued prayers to God that he will interpose in behalf of his Church.

I am yours sincerely,

GEORGE BOYD, Rector.

July 31st 1840.

### Extract from the Minutes, No. 21.

At a special meeting of the Rector, Wardens and Vestry of St. Johns Church, held on Monday evening August 3d, 1840, present Vineyard, Reed, Ziegler, Bender, Mulock, Murray, Donaldson and Miskey—the minutes of the last special meeting being read, the following Resolution was offered and unanimously adopted:—

*Resolved*, by the Wardens and Vestry of St. Johns Episcopal Church of the N. L., that the Revd. George Boyd, D. D. be, and is hereby dismissed from the Rectorship of said Church, and in accordance with the provisions of the 33d Canon of the General Convention, the matter be laid before the Bishop of the Diocese for his concurrence in said dismissal. On motion it was

*Resolved*, That a meeting of the male members of the Church and Congregation be called on Thursday evening August 6th, in the Lecture Room, and that the whole of the proceedings of the Vestry be laid before them.

(In pursuance of the above resolution, a meeting of the male members of the Church and Congregation took place on Thursday evening August 6th, where a communication was received from the Rector which was addressed to the Vestry, whereupon they withdrew and held a special meeting, the proceedings of which follow in Extract No. 22.)

### Extract from the Minutes, No. 22.

At a special meeting of the Wardens and Vestry of St. Johns Church, held on Thursday evening, August 6th 1840,

Present Messrs. Vineyard, Reed, Ziegler, Murray, Bender, Janney, Donaldson and Miskey.

The meeting was convened in consequence of having received the following letter from the Rector.

To the Wardens and Vestrymen of St. Johns Church Northern L.

BRETHREN,

I have received from the Secretary of your body a copy of the resolutions passed by you on the third instant, purporting to *dismiss* me from the Rectorship of St. Johns Church.

As the 33d Canon of the General Convention under which you profess to act, in my judgment has no application whatever to the case, and gives you no such authority as you claim; as I know of no law of the Commonwealth and no Canon of the Church which confers upon you any such right; as I am conscious of "no Error in religion or viciousness of life" to disqualify me for my office; and as I know of the existence of no controversy to render our secession necessary, or of the nature contemplated by the church; I deem it proper to inform you that I consider

your act as perfectly null and void. I therefore am still the Rector of St. Johns Church, and I shall continue to discharge the duties of the office, until such time as a lawful and canonical dissolution of my Pastoral and Sacerdotal relation to the parish shall take place.

It is also proper for me to let you know that I have this day, according to the 34th Canon of the General Convention, made application to the Bishop to summon the Presbyters of the Diocese in council, to examine into the case, and to decide what in their good and prudent judgment should be done. What the laws and the authorities of the church shall say, will be immediately acquiesced in by me.

Your friend and Pastor,

GEORGE BOYD,  
Rector of St. Johns Church, N. L.

August 6, 1840.

After reading the above communication it was on motion unanimously

*Resolved*, That the above communication be read before the meeting of the male members of the church and congregation now assembled (up stairs) in accordance with a resolution of the Vestry—to call said meeting, passed the 3d inst.

Copy of the minutes of the proceedings of the meeting of the male members of the Congregation, which was held August 6th 1840, in accordance with the call of the Vestry, authorized by a resolution passed by them on the 3d instant.—(See Extract No. 21.)

At a meeting of the male members of St. Johns Church, held in the lecture room of said church, on Thursday evening August 6th 1840, Mr. George Benners, was called to the chair, and William Harrison, appointed Secretary.

The business of the meeting having been stated, it was on motion

*Resolved*, That the report of the committee appointed by the Vestry to make a statement of the proceedings which have led to the difficulty existing between the Rector and the Vestry, be laid before this meeting and read. A communication from the Rev. George Boyd, addressed to the Wardens and Vestry of St. Johns Church, being received by them, a question arose as to the propriety of its being read before this meeting—whereupon it was *resolved*, that the Vestry retire and act upon the communication received from the Rector. The Vestry having resumed their seats in the meeting, stated that they had agreed, that the communication received from the Rev. George Boyd, be read, which was accordingly done.

The report of the committee above referred to, having been read (See extract No. 19) according to order—it was on motion *resolved*, that this meeting concur in said report, and that we will sustain the Vestry in the course in which they have proceeded.

The question on this resolution being taken by (ayes and nays,) the vote stood ayes, Rihl, Vineyard, Valette, Pierie, Steinmetz, Donaldson, Mecke, Super, Miskey, Dr. Janney, Laws, Trufite, Ziegler, A. Reed, Bender, Benners, J. Kessler, jr. Harrison, Murrav. Beckenbach—20.

Nays—O. Reed, Tiers, Kester, Millard, Bradford, Letford, Chadwick—7.

The following resolutions were then read and adopted by a similar vote.

1. *Resolved*, as the sense of this meeting, that we do cordially approve of, and will sustain the Vestry of St. Johns Church in all their late proceedings, in reference to a return to the system of finance generally in use in the Episcopal Churches in this country.

2. *Resolved*, that considering the circumstances in which the Vestry of St. Johns Church have been placed, we do approve of the resolution unanimously adopted by them, calling for the Rev. George Boyd's resignation from the Rectorship of said church.

3. *Resolved*, that inasmuch as the late Rector did not think proper to comply with the resolution of the Vestry, asking for his resignation, that we do approve of the act of the Vestry unanimously adopted—whereby he has been dismissed from the Rectorship of said church.

4. *Resolved*, that we will sustain the Vestry in all measures necessary and proper, to carry into effect their late proceedings.

5. *Resolved*, that we will expect the Vestry to take immediate measures to procure a temporary supply for the pulpit of St. Johns Church; and that until such supply can be obtained, we would recommend that the church be closed.

6. *Resolved*, that all the friends of St. Johns Church are expected to stand by her in this emergency, having confidence that with the blessing of the *Great Head* of the church she will yet arise from her present low estate, and putting on her beautiful garments, become as a city set upon an hill, whose light cannot be hidden.

On motion it was resolved that this meeting do now adjourn.

GEO. BENNERS, *Chairman*.

WM. HARRISON, *Secretary*.

After the adjournment of the above meeting the Vestry re-organised, and unanimously passed the following resolution:—

*Resolved*, that it is expedient that the Wardens close St. John's Church for the coming Sunday, and if necessary procure a supply for the pulpit.

*The following paper originating with the male members of the congregation, apart from the Vestry, is annexed as a further expression of their sentiments.*

We the undersigned members of the Congregation of St. John's Church, N. L. having understood that the Vestry have passed an unanimous resolution asking for the Rev. George Boyd's resignation as Rector of said church, take this method of expressing our approbation of such a measure, inasmuch as we believe it to be the only course which the Vestry, under the circumstances in which they were placed, could pursue, in justice to themselves and the church for whose welfare they were

bound to act—And also, we believe it to be the only measure which will ultimately restore to the church that peace and harmony which ever should prevail in a Christian community.

*Philadelphia, July 29th, 1840.*

Jacob Steinmetz,  
John Kessler, Jr.  
E. H. Murray,  
John Kessler,  
Thomas Price,  
Lewis Kensil,  
P. H. Trufite, Jr.  
A. J. Bucknor,  
Jacob Beckenbach,  
George Benners,  
Jacob S. Miller,

Isaac Laws, Jr.  
William Harrison,  
George Mecke,  
Henry Rihl,  
C. Dillman,  
William Super,  
Edwin Vallett,  
John Adolph,  
Wm. L. Shannon,  
Andrew Donaldson,  
William Picrie.

### *Extract from the Minutes, No. 23.*

At a stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Friday evening, August 14th, 1840.

Present, Messrs. Vineyard, Reed, Janney, Ziegler, Bender, Donaldson, Murray, Mulock and Miskey.

The following communication was received from the Bishop of the Diocese.

Having received from the Vestry of St. John's Church, N. L. Philadelphia, a copy of a resolution, dismissing the Rev. George Boyd, D. D. from the Rectorship of that church, and asking my concurrence in that act, according to the Canon 33 of the General Convention; and having also received from the Rev. George Boyd, D. D. two letters, in which he asserts the said act of the said Vestry to be null, and makes application to me to summon all the Presbyters of this Diocese, to act in the premises according to Canon 34 of the General Convention; I hereby determine

1. That the said act is not null, but is a valid *inchoate* proceeding; the Canon recognises the power to do such an act.

2. That the said Vestry having commenced action under Canon 33, I have no power to defeat their action by allowing the matter to be transferred to the operation of a different Canon. While therefore the said *inchoate* proceeding is awaiting my concurrence, or non-concurrence, I cannot summon the Presbyters of the Diocese under Canon 34.

To enable me to decide prudently and justly, whether to concur or not concur in the aforesaid act of the Vestry of St. John's Church, N. L. Philadelphia—I require as follows:

1. I require the said Vestry to declare to me, in detail, all the facts which induced them to dismiss the Rev. Dr. Boyd—the said declaration

to be in writing, and to contain the names and residence of the witnesses—to state what sum of money the Vestry will pay the Rev. Dr. Boyd, should I concur in dismissing him; and to be delivered to the Rev. Dr. Dorr for me, (I expecting to be on a distant visitation,) and a copy thereof to the Rev. Dr. Boyd, on, or before the fifth day of September next.

2. I require the Rev. Dr. Boyd, if he see fit, to reply to the above mentioned declaration of the Vestry, to do so in writing, by a further or counter statement of the facts—giving the names and residence of the witnesses, and declaring whether the sum of money named by the Vestry is as large as he deems equitable; and if not, what further sum he desires. The said reply to be delivered to the Rev. Dr. Dorr for me, (I expecting to be still absent,) and a copy thereof to the said Vestry, on, or before the twenty-ninth day of September next.

*Signed*

H. U. ONDERDONK,

Bishop of the Diocese of Pennsylvania.

*Philadelphia, August 11th 1840.*

*To the Rev. Geo. Boyd, D. D.*

Rector of St. John's Church, N. L. Philad'a.

And to the Vestry of St. John's Church, N. L. Philad'a.

The above communication having been read,

On motion the following resolution was unanimously adopted,

*Resolved*, that the committee appointed to consult with the Bishop be continued, and be authorized to prepare a statement in compliance with his written requisition addressed to the Vestry, and to employ such legal council as they may deem necessary.

On motion it was further,

*Resolved*, that the Vestry of St. John's Episcopal Church in the Northern Liberties, have the undoubted right to close said church until the existing controversy between the Rector and the Vestry shall have been decided;—*Nevertheless*, they deem it inexpedient to continue so to do, inasmuch as it does not appear to be a measure absolutely necessary, and because it interferes with the convenience of those who desire to worship in said Church. And also with the regular order of conducting the Sabbath Schools of the same;—therefore *Resolved*, that the Wardens be requested to cause the church to be opened on such days, and at such times as has been the custom heretofore.

*Address to the Bishop accompanying the Declaration of the Vestry furnished him according to his requisition. (see Extract No. 23)*

*To the Right Reverend Bishop Onderdonk.*

The Vestry of St. John's Church, N. L. Philadelphia, respectfully submit,—

That, in *obedience* to the requirement of the Bishop, they do hereby declare in detail the facts, which induced them to dismiss the Rev. Dr. Boyd, and to apply to the Bishop for his concurrence in said act, agreeably to Canon 33. That they herewith furnish the names of the witnesses, with their places of residence. and they also state, that they will pay to Rev. Dr. Boyd, if the Bishop shall concur in dismissing him, the sum of 220 dollars \*

That the facts may be presented connectedly and in order of time, the Vestry herewith submit a full and deliated report of a committee of their body, of all the circumstances which had occurred, in relation to the differences between the Rector and themselves; and upon which was founded the resolution, requesting him to resign the Rectorship of said church, and his dismissal. The report is accompanied by sundry documents, which are referred to therein, and on which, in connexion with the oral testimony to be given by the witnesses who may be produced, the Vestry rely for the support of the statements of fact embodied in the report.

From a perusal of these documents, the Vestry believe, that the Bishop will be satisfied, that there exists between the Rector and the Vestry, a very important difference of opinion, as to the administration of the fiscal concerns of the church; and that this difference of opinion has already been productive of serious mischief to the interests and prosperity of the church.

The Vestry believe, that the temporal concerns of the church are committed to their care; and that the Rector is upon mistaken ground, in his interference with this branch of their duty. It is evident, that he has hitherto thought, and still does think, that the mode adopted in our church, and almost universally prevalent, if not entirely so, of raising revenue for incidental expenses and the support of the ministry, is not in conformity with the scriptural and apostolic order of the Lord's House. In compliance with the views of the Rector, the Vestry thought proper, by a decision made by the casting vote of the Rector, to try an experiment, the result of which will be seen, from the documents herewith exhibited, to have been a total failure, and productive of great evil, and embarrassment. The Vestry, under an imperious necessity, sought to escape from the evil, and by a seasonable return to the accustomed and approved mode of raising revenue, to save the church from dissolution. The Rector still adhered to his own views, and under the influence of them, and his earnest feeling on the subject, meditated, and threatened, a suspension of all the members of the Vestry, from the privileges of the church. From this menaced, but ill considered measure, the Rector was happily

\*The funds of the church having been wholly expended, the above small sum was all that the Vestry could offer with certainty.

preserved, by a seasonable reference to the head of the Diocese; but although restrained thereby from the act of suspension he has not undergone, as he has repeatedly declared any change of sentiment in relation to the correctness of his views, and of his course to obtain the adoption of them by the Vestry.

There, then, seems to be an irreconcilable difference of opinion between the Rector and the Vestry on this important point. The Vestry regarding the matter in question to be purely of a temporal character; and peculiarly within their control; and the Rector regarding it as connected with doctrine, and appertaining to the spiritual concerns of the church,—to such an extent, as to subject the Vestry to discipline, for error of opinion.

On this important point, the Vestry have great satisfaction in believing, that they have the sanction of ancient uniform, and universal usage of the church; and that they have the support of the opinion of the head of the Diocese, upon the very point at issue between the Rector and themselves. They cannot, therefore but think, that it would be a departure from duty in them, and destructive to the interests, and prosperity of the church, if they were to surrender themselves to what seem to be, the fixed and unchangeable sentiments of the Rector.

It is but too obvious, that such a difference of principle and feeling as this, between the Rector and the Vestry which is irreconcilable in its character, must unavoidably cause a state of discord, utterly incompatible with the welfare of the church.

The Vestry submit to the Bishop, that the sentiments herein expressed are entertained unanimously by the Vestry, and as they believe by a large majority of the members of the church and congregation.

The Vestry deem it incumbent on them, as a matter of justice to the Rector to say that although the difference herein stated is upon a point of vital importance to the prosperity of the church; they have great satisfaction in declaring, that they have no doubt, that the views entertained by the Rector are conscientiously holden by him, and that they believe him to be a man of undoubted piety, and devoted sincerely to what he deems to be a faithful performance of duty in the ministerial office.

#### REPLY OF THE REV. DR. BOYD.

To the Right Rev. H. U. Onderdonk, D. D. Bishop, &c.

Right Rev. & Dear Sir,

I received your communication of the 11th of August last, stating your determination, and what you required, both of the Vestry of Saint John's and of myself, to enable you "to decide prudently and justly" in the matter of controversy existing between us.

I stated to you Right Rev. Sir in my note of the 6th of August last, that I did object to the act of the Vestry of St. John's, in dismissing me

from the Rectorship of that church, because I know of no Canon authorizing such a proceeding, and therefore that I considered the act of the Vestry perfectly null. At the same time I made application to you to summon the Presbyters of the Diocese, to deliberate and decide in the premises.

In your official communication above referred to; you determine that the said act of the Vestry of St. John's "is not null, but is a valid inchoate proceeding" and that inasmuch as the Vestry have commenced action, under Canon 33, you cannot summon the Presbyters of the Diocese under Canon 34. Assuming that the action of the Vestry is valid, and that the matter in dispute is thus brought before yourself officially, you proceeded to require first of the Vestry a detail of the facts which induced them to dismiss the Rev. Dr. Boyd, with other matters; and secondly You require of myself, if I think fit to reply to the statement of the Vestry, a further and counter statement, &c.

Before I reply to the allegations of the Vestry upon which they have predicated their act of dismissal, allow me with all due respect Right Rev. Sir, both to yourself and to the Vestry of St. John's, to *protest*, and I do most solemnly *protest* against the form of proceeding on the part of the Vestry and of yourself. With undiminished confidence in the merits of the case, as I have endeavoured to maintain it, in controversy with the Vestry of St. John's, I do not feel myself at liberty to overlook what appears to me to be a great want of Ecclesiastical regularity and propriety in the mode of proceeding which has been adopted. The more so, because I believe, if the present proceedings is maintained and becomes a precedent (for it is the first instance of the kind as I suppose on record) it will subject the Parochial clergy to a sort of discipline, to which they have not been accustomed to think themselves amenable, violate an important principle that has always had the sanction of the church, and thus tend to the discredit of our most excellent Polity.

The Vestry of St. John's have dismissed the Rector of that church, under what they supposed to be the provisions of the 33d Canon of the General Convention; and You Right Rev. Sir, have determined that their act "is *valid*, as an inchoate proceeding." Allow me to offer a few reasons, why I suppose that the Vestry have mistaken their powers; and that your determination Right Rev. Sir, is not in keeping, with the Law; or with the principles of the church.

First, let me call your attention to the history of the Canon. It is a good rule of interpretation to refer to the original design of a Law. The Canon in question was first passed A. D. 1804, and Bishop White thus speaks of it. "Notice is taken on the Journal of the Convention (viz. 1804) of an application from the Episcopal Church in New Jersey, relative to an unhappy dispute, then subsisting between a Minister and his Congregation. As the issue of this was a Canon, *the object of which was novel in the Episcopal Church*, and the consequences of which may be important, it may be proper to record the origin of it, and the general view entertained of its tendency by the author."—"In regard to the merits of the Canon, there may be doubts concerning the principle, *on the ground that there should be no severance from a Pastoral Charge, ex-*

cept as the result of a trial for alleged misconduct which is the most agreeable to the idea of exalting law above will"—"Nevertheless, under the present circumstances of the church, and until some check can be given to the ease with which Ministers are admitted into Congregations, the Bishops consented to the Canon. It deserves the name of a necessary, but it is hoped, only a temporary evil.—The apprehension of the abuse of it has been verified." (Memoirs, page 246.)

In 1808, a new arrangement of the Canon's was made: when the 2d of 1804, became the 30th of 1808. To this Canon, now the 33d—the concluding paragraph of Canon 29 is said to apply; it is in the following words—"But it is to be understood that *this Church designs not to Express any approbation of any laws or usages, which make the station of a Minister dependent upon anything else than his own soundness in the faith, or worthy conduct.* On the contrary the church trusts that every regulation in contravention to this, will in due time be reconsidered; and that there will be removed all hinderances to such reasonable discipline, as appears to have belonged to the churches of the most acknowledged orthodoxy and respectability." Again, in the Pastoral Letter of 1811, the house of Bishops thus repeat, what evidently seemed to be the doctrine of the church, "we are persuaded (they say) that for the sustaining of a competent Ministry, every member of it, when entrusted with the Pastoral charge of a Congregation, by their voluntary act, ought to have security for permanency in his station, *until removed after a fair trial, for some error in religion, or for some viciousness of life.*"

From a review of the facts thus stated, it appears that the object of the 33d Canon was "novel in the Episcopal Church," because it was seen that it might be applied in a way contrary to the doctrine of the church, "concerning the permanency of the Pastoral relation, viz. that there should be no severance of the Pastoral charge, except as the result of a trial for alleged misconduct. The Canon was consented to by the Bishops originally with reluctance, and branded by one of them, and he "*primus inter pares*," with the name of a necessary, though he hoped only a temporary evil."

Secondly—I have no evidence that this 33d Canon, such as it is, and dangerous as it was apprehended it might become, was ever intended to confer upon Vestries or Congregations the power of summarily dismissing a regularly settled Pastor at will, without trial, and any charge either of "error in doctrine or of viciousness of life." Neither have I been able to ascertain that it was ever before supposed by any Vestry or Congregation, or Bishop, that an act of dismission can be canonically confirmed without a trial upon presentment where charges of false doctrine, or immorality are preferred; or without the adjudication of a council of Presbyters duly convened according to the 34th Canon, in the case contemplated therein. Admit for the sake of the Argument, that the act of the Vestry of St. John's in dismissing their Rector "is valid as an inchoate proceeding," though it is an abuse of the Canon, resting entirely upon its letter, and contrary to its spirit; still there must be a trial upon the merits of that action, according to some one or other of the Canons, to make the act of dismission regular and canonical, according to the lan-

guage of the Canon itself. If the Vestry of St. Johns, had been prepared to present their Rector for "Error in doctrine or for viciousness of life," or for a violation of the Canons, or otherwise, the way was pointed out to them by the first Canon of the Diocesan code. Or, if they believed, that such a difference existed between the Church of St. John's or themselves, and their Rector as could not be settled by themselves, the way was open for them to apply for the council of Presbyters, according to the provisions of the 34th Canon. I know of no Canon Right Rev. and Dear Sir, authorizing you to dispense with a trial on presentment, or with the Council of your Presbyters, in such a case as the present is supposed to be. Permit me to say and I do so, with all becoming respect; and certainly without the least diminution of affection, that I think you have misunderstood the true meaning of the language employed in the 33d Canon. It is therein said, that a Minister shall not be dismissed "without the concurrence of the Ecclesiastical authority of the Diocese." You appear to have supposed that by the Ecclesiastical authority of the Diocese, the Bishop alone is meant. It would be so if all the powers of the Diocese, Legislative, Judicial and Executive, were in the Bishop.—But until this can be made to appear, I should conclude, that by "the Ecclesiastical Authority of the Diocese" is meant, the united authority of the Convention, the judiciary (whatever the form of trial or investigation may be according to Law,) and the Bishop, or the Executive power. I am aware that the General Convention has defined the phrase "the Ecclesiastical Authority" in all cases under a particular Canon, to mean the "Bishop of the Diocese." It does not, I think follow, that this is its meaning elsewhere. On the contrary from the fact that in Canon 4 of 1835, it is declared that *in all cases under that Canon*, it is to be understood to mean the Bishop—I would infer, that in other places it means a different thing.

Again the 33d Canon, according to the interpretation of it which I have supposed (and which one of my brethren, to whose opinion upon many subjects I attach great importance supposes to be the true one)\* must be considered a penal Law, for surely no greater punishment can be inflicted upon a minister of Jesus Christ in this life, than to dismiss him from the place where the master has placed him, and from a people among whom his purest and holiest earthly attachments may be supposed to be formed. But if Canon 33 is to be interpreted according to the principles which apply to Penal Statutes, i. e. strictly, both according to the letter and the spirit; it would seem to me to follow, that the church never intended to confer the power of dismissing a Rector or Minister under it, except it be done according to law, and after a fair and righteous trial or investigation. The Canon is wholly negative in its provisions. It says what a Vestry or congregation *shall not do*, but it confers no power *to do*. The power of inflicting punishment should be clearly, directly and distinctly stated.

Moreover it is much to be questioned, whether that branch of the church to which it is our privilege to belong, has not yielded too much to the

\* Dr. Tyng.

spirit of the age, in assuming, as appears to be done in the 34th Canon, that there can be any cause, or causes of difference between a Pastor and his people, of such a nature, that they cannot and ought not to be settled by themselves. If I understand the will of Our Lord Jesus Christ upon this subject, as expressed in his word, or to be inferred therefrom; it is that the Pastoral relation was intended to be indissoluble, except by death, for the causes of unfaithfulness, which have been already mentioned, or at least without the approbation of the church. It is true, it has come to be regarded a light matter for a minister to leave the people with whom he has been united in holy communion; and to dissolve those bonds under which he had pledged himself to be their spiritual ruler and guide.—But I cannot persuade myself that it is right, or get rid of the impression, that such loose notions, which result in such easy separations, are the result of worldly and carnal views of the ministry. The ministerial relation, like the parental, or the conjugal, and every other relation through which divine grace is promised, to flow upon the head, to the members associated with it, ought in my judgment to be regarded as sacred, and not disturbed for any cause, save that of necessity, or for the greater good of the church, and with the churches approbation. The Pastor of a flock represents the “Chief Shepherd” in the midst of that flock. Communion with him is communion with the Lord. To dismiss him for any other cause than spiritual unfaithfulness, is in my opinion, to dismiss Christ. And this is precisely the position in which I suppose the Vestry of St. John’s have placed themselves. I have endeavoured to avert from them the consequences of such an act; and God is my witness how greatly I am distressed on their account. Nor can I believe that the brethren who compose that Vestry, many of them my own children in the Gospel, would ever have ventured upon such a step, if they had not been unwisely counselled.

5. Again, the act of dismissing a minister, is a breach of contract. An indefinite call to a parochial cure, is of course for life, or at least during the period of faithfulness. It is a solemn promise on the part of a church, made before God, that they will receive, love and cherish him whom they call, for life; and his acceptance of such a call, is a solemn promise on his part that he will remain with them. This covenant neither of the contracting parties is at liberty to annul, nay, not with the consent of the other, any more than a man and his wife are at liberty to separate by consent. A church cannot dissolve the pastoral relation, neither can any minister of the church, except in the case of unfaithfulness, or as before supposed, and then it must be done according to Law.

6. Further, it may be argued that the 33d Canon is designed to be altogether a *restraining Canon*, which so far from conferring upon Vestries or churches, power to dismiss a regularly settled minister of Jesus Christ, was intended expressly to forbid them doing any such thing, even when the Minister desires it without the concurrence of the Ecclesiastical authority. The word *dismiss* in this Canon does not mean the disgraceful ejection of a minister from his place; but the mere sending him away, or letting him go, as in the case of a minister removing from one Diocese to another, with “letters of *dismissal*”—there is no intentional refer-

ence here to a penal dismissal. This is supposed to be clear from the declaration of the church, to which I have before referred, that “She recognizes no ground for a ministers separation from his people, but error in Religion on viciousness of life,” in other words for unfaithfulness.

Besides, if the power claimed by the Vestry of St. Johns is conferred by the 33d Canon in Dioceses, where that Canon can apply, no such power is given in Pennsylvania. It is expressly provided by the concluding clause of this Canon, “that it shall not be obligatory upon those Dioceses, with whose usages, laws or charters it interferes.” Certainly it has never been the usage in Pennsylvania for Ministers to be dismissed, without accusation or trial, at the will of their Vestries or people.—If such an act had occurred during the life time of your venerable predecessor, we cannot be at a loss to know what would have been his Counsel in the case. He would have said, nay he doth say, for “though dead he yet speaketh.” “The church designs not to express any approbation of any laws or usages, which make the station of a minister dependant upon any thing else, than his own soundness in the faith, or worthy conduct”—“We are persuaded that for the sustaining of a competent ministry, every member of it when entrusted with the pastoral charge of a congregation ought to have a security for permanency in his station, until removed after a fair trial, for some error in religion, or for some “viciousness of life.”

7. It is supposed according to our Legislation, that there may be such differences between a minister and his people, or his Vestry, as may justify, if not, require a separation. The 34th Canon of 1832, points out what is to be done in such cases. It is not that the Vestry or the church, may put an end to the difference by dismissing their Pastor, or that he may terminate it by resigning his charge. The whole matter in dispute, must come before the church for adjudication. The parties or either of them, may call for a convocation or council of the whole number of the Presbyters of the Diocese, who with the Bishop, (they, as the court, to try the case, and he as the Executive of the church are to determine.”—

1. Whether there exists such a controversy as is contemplated by the Canon. 2. If so, to decide and recommend what is to be done to heal the division. 3. To determine whether the dissolution of the pastoral relations is indispensably necessary to the peace of the church. 4. To decide upon what terms or conditions the separation shall take place.—And 5th, to recommend to the minister to relinquish his title. The only one of the offices of the church in which I recollect any provision to be made for the dissolution of the pastoral relation, is the institution office.—Where, in case of any difference between a minister and his congregation, as to a separation and dissolution of all sacerdotal connection between him and them, “the Bishop with the advice of his Presbyters, is said to be the ultimate arbiter and judge.” How the Bishop is to obtain the advice of his Presbyters, except according to the provisions of the 34th Canon, I am at a loss to determine. There appears to be no other way known, or provided for, by the church.

Even the Council of Presbyters have no power to compel a Minister,

to separate himself from the people of his charge, neither can they by any act of theirs, *vacate his place*. They can "recommend," and nothing more. Should he refuse to comply with their recommendation, he subjects himself to the penalty imposed by the Canon. This he may prefer doing, to subjecting himself to the disapprobation of his Divine Master. But though suspended according to the Canon, it may be questioned whether he does not still continue in the Rectorship. So far is it from being true, that Ministers may be ejected at will from their places; they cannot be forced in any way to give them up.

The fact that the 34th Canon provides a way by which to effect a Ministers separation from his charge, in a certain emergency, not involving unfaithfulness, proves that the church designed, that in such case, it should take place *in that way, and in none other*. Where would have been the use of the 34th Canon, or in what possible case could there have been any action under it, if a Vestry could dismiss their Rector at any time by a mere vote, restrained only by the approval of the Bishop.—Such an interpretation of the Canon, provides indeed a very summary mode of dissolving the pastoral relation, but it does so, at the hazard of dissolving the church itself.

By the act of the Vestry of St. John's, in dismissing their Rector, they have produced precisely the state of things, contemplated and provided for by the Canons. They have created "a difference which cannot be settled by themselves," under such circumstances. I still conceive myself to be entitled to the council of my Brethren, to decide the controversy; and that I am under no obligation to submit to the act of the Vestry, though it should be concurred in by the Bishop. I do not perceive that any discretion is given to the Bishop by the Canon. If the Council is called for by either party, it must be summoned.

I wish it then to be distinctly understood, that I consider myself the Rector of St. John's, i. e. its spiritual ruler and guide. Should you Right Rev. and Dear Sir, under a different view of the subject, concur in the act of dismission with the Vestry—I will not feel myself at liberty to relinquish the Rectorship: nor will I do so in any event, as at present advised, until I shall be recommended to do so by my Brethren in council, when so recommended, it will be time enough for me to consider and determine, what will be my duty. In the event too, of your concurrence Right Rev. and Dear Sir, in the act of the Vestry of St. John's, without summoning the Council, I will be constrained to claim my seat in the next Diocesan convention, on the ground that neither the act of dismission, nor the concurrence have been canonical.

For the reasons above stated, I do most respectfully Right Rev. Sir, yet most sincerely and solemnly *protest* against the whole course of proceeding, under the 33d Canon, and I do again make request to you as the Bishop of the Diocese, to summon the Presbyters according to Canon 34.

For the same reasons I decline at present, replying to the declaration of the Vestry, stating the facts, which induced them to dismiss their Rector. And I also decline saying any thing upon the subject of conditions, which in the event of a separation I humbly conceive is not to be made

a matter of bargain, or decided in any other way than by the Bishop and his Presbyters in council assembled.

A copy of this my reply, has been handed to the Vestry, according to your request.

*Very respectfully Yours,*

GEORGE BOYD,

Rector of St. John's Church, &c.

To the Right Rev. H. U. Onderdonk, D. D. Bishop, &c.

September 29, 1840.

*An adjourned stated meeting of the Rector, Wardens and Vestry of St. John's Church, held on Monday evening October 12th 1840,*

The following communication was received from the Bishop and read, no action being necessary upon it, on motion, the Vestry adjourned:—

In conformity with my requisition, dated August 11th 1840, the Vestry of St. John's Church, N. L. Philadelphia, have delivered to me, a statement of the causes which led them, under Canon 33, of the General Convention, to dismiss their Rector, the Rev. George Boyd, D. D., and ask for my concurrence.

And the Rev. Dr. Boyd, has delivered to me a Protest against that act of the Vestry, and against my allowing it to be a valid inchoate act, under Canon 33, and also against my refusing to bring the case under Canon 34; there being included in the said Protest, a renewed request to me, to summon the Presbyters of this Diocese, under the said 34th Canon.

This statement and Protest I have laid before my council of advice, all, except the Rev. Dr. Boyd, being present, viz: the Rev. Drs. Ducachet and Dorr, the Rev. Messrs. Morton and Clemson, and Messrs. Nicklin, J. S. Smith, Wagner, Wharton and Robins. The council having duly considered the same, passed unanimously the two following Resolutions:

"*Resolved*, that the Bishop be respectfully advised not to concur in the dismissal of the Rev. Dr. Boyd, from the Rectorship of St. John's Church, Northern Liberties, by the Vestry of that church."

"*Resolved*, that the Bishop be respectfully advised not to convene the Presbyters, as requested by Dr. Boyd."

With this advice of my canonical Council my own judgment agrees; and I therefore determine as follows:—

1. Acting under the authority of Canon 33, I do not concur with the Vestry of St. John's Church, in their dismissal of their Rector, the Rev. George Boyd, D. D.

2. I do not grant the request of the Rev. Dr. Boyd, that the Presbyters of this Diocese be summoned, under Canon 34.

H. U. ONDERDONK, Bp. Dioc. Penn'a.

To the Rev. George Boyd, D. D. Rector of St. John's Church, N. L. and to the Vestry of St. John's Church, N. L. Philadelphia.

Philadelphia, October 8, 1840.

## CHARTER.

WHEREAS divers persons, Citizens of the *Commonwealth of Pennsylvania*, members of the Protestant Episcopal Church of the *United States* residing in the *Northern Liberties and County of Philadelphia*, have voluntarily associated for the purpose of collecting and establishing a congregation to worship in a house now building, called *St. John's Church*, according to the forms and usages of the said Episcopal Church—and for the furtherance of this useful design, have contributed large sums of money.

And whereas, the lot whereon said church is erected, was given many years ago by WILLIAM COATES, for the purpose to which it is now appropriated, and cannot be held or applied to all the purposes intended by said donor, for the want of a corporate body, capable of receiving and holding possession thereof, and who may also be capable of taking and holding by law, such donations, grants, devises and bequests, as may by charitable and well disposed persons hereafter be given, or devised, for the benefit of the said church:

Know ye, that in pursuance of an act of the general assembly of the *Commonwealth of Pennsylvania*, entitled "An act to confer on certain associations of the Citizens of this *Commonwealth*, the powers, and immunities of corporations or bodies politic in law:"

1. The Rector, Wardens and Vestrymen for the said church, and their successors, being citizens of the *Commonwealth of Pennsylvania*, are, according to the said act, and in pursuance thereof, incorporated and made a body corporate and politic in law and in deed, by the name and style of "*The Rector, Wardens and Vestrymen of St. John's Church in the Township of the Northern Liberties, in the County of Philadelphia*," and by the same name they and their successors shall forever hereafter be able, and capable in law, to have, hold, receive and enjoy, lands, tenements, franchises, gifts and bequests of what nature so ever in fee simple or for term of life, years, or otherwise—and also to give, grant, let, alien, sell, or assign the same according to the nature of the respective gifts, grants or bequests made to them the said corporation, and of their estate therein; to be employed and disposed of, according to the objects, articles and conditions of this instrument, upon which the said corporation is established. *Provided*, that the clear yearly value or income of such real estate, and the interest of the money by them lent do not exceed the sum of five hundred pounds.

II. The first Vestry of said church shall be composed of the following persons; *Turner Camac, John Keen, Thomas Millard, George Eyre, Jehu Eyre, Jesse Waterman, Edward D. Corfield, Jacob Souder, Daniel H. Miller, and Charles Wheeler*—who shall as soon as these articles of incorporation are completed, proceed to elect two of their num-

ber as Wardens, which Vestry shall remain in office until *Easter Monday, in the year one thousand eight hundred and seventeen*.

III. *On Easter Monday, 1817*, the first election for a Vestry shall be held at the church between the hours of 12 and 3 o'clock, and every future election shall be held on the same day in each successive year, at the same place. The number elected shall be ten, who shall be members of the said church, and who shall always have power to elect two from among their number, to act as Wardens.

IV. For the well governing and directing the temporal affairs of the said church, the said Rector, Wardens, and Vestrymen shall have all power to regulate every matter relating to the same—and when there is no Rector in the said corporation, one shall be chosen by the said Wardens and Vestrymen; and the said Vestry shall pass all such by-laws as they shall judge necessary or convenient, and the same shall put in execution, revoke, disannul, alter or amend at pleasure. *Provided*, that the said rules, ordinances, regulations and by-laws relate only to furthering the interests of the said church, and be not repugnant to the constitution and laws of the *United States*, or of this *Commonwealth*.

V. The said corporation shall, forever be able and capable in law to sue and be seued, plead and be impleaded, in all courts of law, causes and things, and to obtain and sustain all legal judgments, executions, awards and decrees, both intermediate and final, incidental to the same; and enjoy all such privileges, rights, powers, franchises, as other corporations of like kind in this *Commonwealth* enjoy.

VI. The said corporation shall have power to use a common seal, and to change the same at pleasure.

VII. All and singular the estate whatsoever, now actually belonging, or to belong to the said church, and held by any person or persons for their use, shall be transferred to and vested in the said corporation, hereby constituted, and their successors, for ever, for the purposes above mentioned.

VIII. Whenever a meeting of said Vestry is proposed, notice shall be left at the house or place of residence of each Vestryman at least 24 hours before the time of such meeting. After the notice is served, and five Vestrymen with the Rector, or in case of his absence six vestrymen shall have met pursuant to such notice, they may proceed to do any business relating to their trust, except in cases hereinafter mentioned; and a determination of a majority so met, shall be as valid and conclusive, as if the whole number of Vestry were present.

IX. *Provided always*, that, when any salary is to be augmented, a Rector or Assistant Minister to be chosen, the same shall be first proposed at a previous meeting, and particularly expressed in the written notice to be given; and further that in the decision of the questions included in the foregoing proviso, a majority of the whole Vestry shall be required.

X. The Rector for the time being or any three Vestrymen shall have power to call a meeting of the Vestry.

XI. The Vestry named in the 2d article, shall fix the qualifications of voters or electors at the elections provided for in the 3d article; and shall

also have power to determine what shall constitute a member of the said church.

XII. The Rector for the time being shall preside at the meetings of the Vestry, and shall have a casting vote, but no other; in case of his absence, or in case of a vacancy in the Rectorship, a Chairman, pro tempore, shall be appointed, and the acts of such Vestry shall be equally as valid as if a Rector were present.

XIII. If, owing to any circumstance, no election of Vestry should take place according to the 3d article, the Vestry whose time would expire in case of an election, shall remain in office until a new election shall be held according to said article, and the Vestry may at any time supply any vacancy or vacancies in their body.

*Signed,*

*Turner Camac,  
John Keen,  
Thomas Millard,  
George Eyre,  
Jehue Eyre,*

*Jesse Waterman,  
Edward D. Corfield,  
Jacob Souder,  
Daniel H. Miller,  
Charles Wheeler.*